

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7, Village of Chama

Subfile No. CHCV-007-0002B

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(a)(1) moves the Court to issue its order substituting Touraey, LLC for defendants Jay Kegel and Katherine Kegel in these proceedings, and as grounds Plaintiff states the following:

1. Touraey, LLC is the new owner of the land and water rights under subfile CHCV-007-0002B by deed dated May 18, 2008. Although the State has sent a proposed Consent Order in this subfile to the new owner of the property, these claims have not yet been resolved.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting Touraey, LLC for defendants Jay Kegel and Katherine Kegel in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444 phone

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of February 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Touraey, LLC
c/o Maria O'Brien, Esq.
Modrall Law Firm
P.O. Box 2168
500 4th Street, NW #1000
Albuquerque, NM 87102

/s/ Ed Newville
EDWARD G. NEWVILLE